

Senate Bill No. 550

CHAPTER 662

An act to amend Section 35735.1 of the Education Code, relating to education.

[Approved by Governor October 3, 1997. Filed
with Secretary of State October 6, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

SB 550, O'Connell. Education.

(1) Existing law provides for the calculation of the base revenue limit for newly organized school districts in accordance with a prescribed procedure.

This bill would require that, with respect to a school district that unifies effective July 1, 1997, and that has an average daily attendance in the 1996-97 fiscal year of more than 1,500 units, this calculation include a calculation based on the equalization adjustment amounts of the component districts of the newly unified district for the 1996-97 fiscal year. The bill would provide that these equalization adjustment amounts be derived from calculations made pursuant to specified statutes.

(2) Existing law provides funding to school districts to reduce class size in kindergarten and grades 1 to 3, inclusive, to no more than 20 pupils per certificated teacher. Existing law requires that the class size reduction program be implemented at each schoolsite according to specified priorities that require, among other things, the class size of grade 1 to be reduced if only one grade level is reduced at a schoolsite.

This bill would authorize, until July 1, 1999, as specified, the Nevada City School District and the Templeton Unified School District to implement a program to reduce class size in 3 grade levels at a schoolsite that exclusively enrolls pupils in kindergarten and grades 1 and 2 and, in addition, reduce class size in grade 3 at a schoolsite that exclusively enrolls pupils in grades 3 to 5, inclusive, as specified.

This bill would make a declaration of special circumstances in that regard.

The people of the State of California do enact as follows:

SECTION 1. Section 35735.1 of the Education Code is amended to read:

35735.1. (a) The base revenue limit per unit of average daily attendance for newly organized school districts shall be equal to the total of the amount of blended revenue limit per unit of average daily

attendance of the affected school districts computed pursuant to paragraph (1), the amount based on salaries and benefits of classified employees computed pursuant to paragraph (2), the amount based on salaries and benefits of certificated employees calculated pursuant to paragraph (3), and the amount of the inflation adjustment calculated pursuant to paragraph (4). The following computations shall be made to determine the base revenue limit per unit of average daily attendance for the newly organized school districts:

(1) Divide the average daily attendance computed pursuant to Section 42238.5 into the base revenue limit computed pursuant to Section 42238 for each affected district, and then perform the following computation to arrive at the blended revenue limit:

(A) For each school district affected by the reorganization, multiply the amount determined pursuant to paragraph (1) by the number of units of average daily attendance for that school district that the county superintendent of schools determines will be included in the proposed school district.

(B) Add the amounts calculated pursuant to subparagraph (A).

(2) For each affected school district for which the employment of 25 percent or more of the classified full-time equivalent employees of the district is attributable to average daily attendance that the county superintendent of schools determines will be included in the newly organized school districts, the following computation shall be made to determine the amount to be included in the base revenue limit per unit of average daily attendance for the newly organized school districts that is based on the salaries and benefits of classified employees:

(A) For each of those school districts, make the following computation to arrive at the highest average amount expended for salaries and benefits for classified full-time employees by the districts:

(i) Add the amount of all salaries and benefits for classified employees of the district, including both part-time and full-time employees.

(ii) Divide the amount computed in clause (i) by the total number of full-time equivalent classified employees in the district.

(B) Compare the amounts determined for each of those school districts pursuant to subparagraph (A) and identify the highest average amount expended for salaries and benefits for classified employees.

(C) For each of those school districts, subtract the amount determined for the district pursuant to subparagraph (A) from the amount identified pursuant to subparagraph (B).

(D) For each of those school districts, multiply the amount determined for the district pursuant to subparagraph (C) by the number of full-time equivalent classified employees employed by the district, and then multiply by the percentage of the district's average daily attendance to be included in the new district.

(E) Add the amounts computed for each school district pursuant to subparagraph (D).

(3) For each affected school district for which the employment of 25 percent or more of the certificated full-time equivalent employees of the district is attributable to average daily attendance that the county superintendent of schools determines will be included in the newly organized school districts, the following computation shall be made to determine the amount to be included in the base revenue limit per unit of average daily attendance for the newly organized school districts that is based on the salaries and benefits of certificated employees:

(A) For each of those school districts, make the following computation to determine the highest average amount expended for salaries and benefits for certificated full-time employees:

(i) Add the amount of all salaries and benefits for certificated employees, including both part-time and full-time employees.

(ii) Divide the amount determined in clause (i) by the total number of full-time equivalent certificated employees in the district.

(B) Compare the amounts determined for each school district pursuant to subparagraph (A) and identify the highest average amount expended for salaries and benefits for certificated employees.

(C) For each of those school districts, subtract the amount determined for the district pursuant to subparagraph (A) from the amount identified pursuant to subparagraph (B).

(D) For each of those school districts, multiply the amount determined for the district pursuant to subparagraph (C) by the number of full-time equivalent certificated employees of the school district, and then multiply by the percentage of the district's average daily attendance to be included in the new district.

(E) Add the amount calculated for each school district identified pursuant to subparagraph (D).

(4) The base revenue limit per unit of average daily attendance shall be adjusted for inflation as follows:

(A) Add the amounts determined pursuant to subparagraph (B) of paragraph (1), subparagraph (E) of paragraph (2), and subparagraph (E) of paragraph (3), and divide that sum by the number of units of average daily attendance in the newly organized school districts. The amount determined pursuant to this subparagraph shall not exceed 110 percent of the blended revenue limit per unit of average daily attendance calculated pursuant to paragraph (1).

(B) (i) Increase the amount determined pursuant to subparagraph (A) by the amount of the inflation adjustment calculated and used for apportionment purposes pursuant to Section 42238.1 for the fiscal year immediately preceding the year in which the reorganization becomes effective.

(ii) With respect to a school district that unifies effective July 1, 1997, and that has an average daily attendance in the 1996–97 fiscal year of more than 1,500 units, increase the amount determined pursuant to subparagraph (A) by an amount calculated as follows:

(I) For each component district of the newly unified district, multiply the amount of revenue limit equalization aid per unit of average daily attendance determined pursuant to Sections 42238.41, 42238.42, and 42238.43, or any other sections of law, for the 1996–97 fiscal year by the 1996–97 second principal apportionment units of average daily attendance determined pursuant to Section 42238.5 for that component district.

(II) Add the results for all component districts, and divide this amount by the sum of the 1996–97 second principal apportionment units of average daily attendance determined pursuant to Section 42238.5 for all component districts.

(C) Increase the amount determined pursuant to subparagraph (B) by the amount of the inflation adjustment calculated and used for apportionment purposes pursuant to Section 42238.1 for the fiscal year in which the reorganization becomes effective for all purposes.

(D) Increase the amount determined pursuant to subparagraph (C) by any other adjustments to the base revenue limit per unit of average daily attendance that the newly organized school districts would have been eligible to receive had they been reorganized in the fiscal year two years prior to the year in which the reorganization becomes effective for all purposes.

(b) The amount determined pursuant to subparagraph (D) of paragraph (4) of subdivision (a) shall be the base revenue limit per unit of average daily attendance for the newly organized school districts.

(c) The base revenue limit per unit of average daily attendance for the newly organized school district shall not be greater than the amount set forth in the proposal for reorganization that is approved by the State Board of Education. The Superintendent of Public Instruction may make adjustments to base revenue limit apportionments to a newly organized school district, if necessary to cause those apportionments to be consistent with this section.

(d) If the territorial jurisdiction of any school district was revised pursuant to a unification, consolidation, or other reorganization, occurring on or before July 1, 1989, that resulted in a school district having a larger territorial jurisdiction than the original school district prior to the reorganization, and a reorganization of school districts occurs on or after the effective date of the act that added this subdivision that results in a school district having a territorial jurisdiction that is substantially the same, as determined by the State Board of Education, as the territorial jurisdiction of that original school district prior to the most recent reorganization occurring on or before July 1, 1989, the revenue limit of the school district resulting

from the subsequent reorganization shall be the same, notwithstanding subdivision (b), as the revenue limit that was determined for the original school district prior to the most recent reorganization occurring on or before July 1, 1989.

(e) The average daily attendance of a newly organized school district, for purposes of subdivision (d) of Section 42238, shall be the average daily attendance that is attributable to the area reorganized for the fiscal year two years prior to the fiscal year in which the new district becomes effective for all purposes.

(f) For purposes of computing average daily attendance pursuant to subdivision (d) of Section 42238 for each school district that exists prior to the reorganization and whose average daily attendance is directly affected by the reorganization, the following calculation shall apply for the fiscal year two years prior to the fiscal year in which the newly reorganized school district becomes effective:

(1) Divide the 1982–83 fiscal year average daily attendance, computed pursuant to subdivision (d) of Section 42238, by the total average daily attendance of the district pursuant to Section 42238.5.

(2) Multiply the percentage computed pursuant to paragraph (1) by the total average daily attendance of the district calculated pursuant to Section 42238.5, excluding the average daily attendance of pupils attributable to the area reorganized.

(g) This section shall not apply to any reorganization proposal approved by the State Board of Education prior to January 1, 1995.

(h) Notwithstanding any other provision of law, this section shall not be subject to waiver by the State Board of Education pursuant to Section 33050 or by the Superintendent of Public Instruction.

SEC. 2. (a) Notwithstanding any other provision of this chapter, the Nevada City School District and the Templeton Unified School District may implement a program to reduce class size in three grade levels at a schoolsite that exclusively enrolls pupils in kindergarten and grades 1 and 2 and, in addition, may implement a program to reduce class size in grade 3 at a schoolsite that exclusively enrolls pupils in grades 3 to 5, inclusive, if the program to reduce class size in grade 3 is implemented on or before September 3, 1996.

(b) It is the intent of the Legislature that the provisions of subdivision (a) not be interpreted as precedential.

(c) This section shall remain in effect only until July 1, 1999, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 1999, deletes or extends that date.

SEC. 3. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances with respect to the Nevada City School District and the Templeton Unified School District. The facts constituting this necessity are:

(a) The State Department of Education confirms that an error was made with regard to the implementation of the class size reduction program in the Nevada City School District and the Templeton Unified School District for the 1996–97 fiscal year.

(b) This erroneous implementation of the class size reduction program caused an economic emergency for the Nevada City School District and the Templeton School District, which, if left unresolved, would have resulted in hardship for both school districts.

(c) The State Department of Education rectified the error by funding the additional costs incurred to the school districts through the incorrect implementation of the class size reduction program in both school districts.

(d) Statutory authorization is necessary to allow the Nevada City School District and the Templeton Unified School District to retain the critical funding to avoid an economic emergency.

